

**TULARE COUNTY WATER COMMISSION**  
**MEETING MINUTES**  
**May 11, 2015**

**Members Present:**

Allen Ishida, Board Representative and Chairman  
Dale Brogan, District 2 Appointee  
Mark Larsen, District 3 Appointee  
Richard L. Schafer, District 5 Appointee  
Chris Kapheim, District 4 Appointee  
Susana De Anda, At-Large Appointee  
Mike Ennis, Board Alternate Representative  
Paul Boyer, District 1 Appointee  
Rudy Mendoza, TCAG Representative

**Members Absent:**

Roger Everett, At-Large Appointee  
Mark Larsen, District 3 Appointee  
Susana De Anda, At-Large Appointee

**Staff Present:**

Julieta Martinez, Tulare County Board of Supervisors  
Denise England, Water Resources Program Manager  
Will Jackson, County Counsel

**Members of the Public Present:**

Kristin Dobbin  
Bob Irvine  
Carole Clum  
Ken Bowers  
Michael Hickey  
Michael Tharp  
Richard Garcia  
Shane Smith

1. Call to Order

The meeting was called to order at 3:06pm.

2. Public Comment Period

Carol Clum of Three Rivers provided a handout to the Commission. It contained two articles. One from the Financial Times entitled "Beijing pushes industry to raise water quality." The other is from the Scientific American magazine entitled "The Culture of Germination." See attachment for comments.

3. Approval of February 9, 2015 minutes

Commissioner Schafer offered motion to approve all three sets of minutes together, second by Commissioner Mendoza. Motion Approved.

4. Approval of March 9, 2015 minutes

Approved as part of agenda item number 3.

5. Approval of April 13, 2015 minutes

Approved as part of agenda item number 3.

6. SB 20 (Pavley) – Wells: reports: public availability. (Discussion and Action Item)

Denise England, Water Resources Program Manager, informed the Commission that she has received several requests to oppose this bill and has brought it to the Commission for discussion. If they choose, the Commission can vote on a recommendation to the Board of Supervisors to send a letter opposing SB 20 (Pavley).

Commissioner Kapheim stated that there seems to be a misconception on this bill in terms of well log and usage. Currently by working with the districts, there are different requests on different issues with the well logs. He believes the issue arises when it comes to well location and if one is dealing with private property. There are concerns on how this information will be used by the public.

Commissioner Schafer shared that he is in agreement with recommending the Board of Supervisors send a letter of opposition. He mentioned that there are several entities who have already voiced opposition, including the Farm Bureau. Well completion reports are already available under law for persons proceeding with a geologic or hydrologic study of a basin.

Chairman Ishida opened the discussion to public comment.

Kristin Dobbin, Community Water Center, urged the Commission not to oppose this bill. She stated that water quality information is currently not accessible to the public. She shared that the information is needed and it is extremely difficult to obtain. She stated that the information should be readily available for planning purposes, one example is digging new wells. She felt that residents deserve the right to know what is in their area, it is in their best interest to know what resources surround them

Chairman Ishida asked Ms. Dobbin how this information would be used.

Ms. Dobbin commented that it would be useful in doing regional water studies.

Commissioner Kapheim felt that the information is already available and organization could work with the various district to obtain it.

Ms. Dobbin noted that it is not accessible by modern standards.

Commissioner Schafer asked if Kristin Dobbin believed that residents would understand what's in a well log.

She replied that she does. She stated that they are not complicated although the information may be confusing. Discussion followed.

Tricia Stever Blattler, Farm Bureau, also spoke to the Commission. She shared that they are on the right track and felt that SB 20 is not a necessary piece of legislation. The Farm Bureau actively opposed SB 20 and would certainly encourage opposition to it. From a law enforcement perspective it is a map for new places to access metal and steal copper that can cause higher

crime rates.

Commissioner Boyer offered a different point of view. Over the years Self Help has worked with a lot of water systems. He knows that public agencies can request well logs but it is a lot more complicated than it was before. To him, it is important to have depth information. It is important to know if a well is open bottom or if its gravel. It is important to know where your separation or confinement layers are.

Commissioner Schafer shared that quality is not contained in the report.

Commissioner Kapheim did not disagree with the statement but shared well logs do not contain the information Commissioner Boyer is seeking.

Commissioner Boyer suggesting looking at other states and what information is being shared by them.

Chairman Ishida felt that Commissioner Boyer did bring up an important item. He referred to staff and asked if there is a way to request additional information on a well, if its open bottom or gravel packed, on the County well permit. Does the well driller put all that information in the well log?

Commissioner Brogan stated that he has seen 5 well logs his entire career. Besides just being a collection of profiles, there wasn't a lot of information in there. Discussion followed.

A motion was made by Commission Kapheim to make a recommendation to the Board of Supervisors to send a letter of opposition for SB 20. A second was made by Commissioner Schafer. Motion was approved with a majority vote with Commission Boyer voting no.

## 7. Groundwater Ordinance (Discussion and Action Item)

Denise England asked Commissioners if there were any recommendations as to whether or not Tulare County should pursue a groundwater ordinance.

Commissioner Kapheim suggested having a presentation from Consultant Sarge Green. He worked on an ordinance with both Merced and Stanislaus counties. He felt that it would be good to hear why other counties adopted an ordinance.

Chairman Ishida asked staff to make contact and invite Mr. Green to the next meeting.

Commissioner Schafer stated that he leans toward an ordinance like that of San Luis Obispo. Of all the ordinances passed, that one has some teeth and would be well served in the County. Discussion followed.

## 8. Subcommittee Reports

None at this time.

## 9. Staff Reports

- a. Sustainable Groundwater Management Act
  - i. Implementation in Tulare County

Denise England shared that there was a meeting at the County Administrative Office a couple of

weeks ago. The Community Water Center hosted a community meeting on the Sustainable Groundwater Management Act.

Commissioner Kapheim has been attending meetings on East Kings GSA group. Tulare County had requested some language changes on the MOU. In the meantime, further outreach on some of the Public Utility Districts is being conducted. The MOU is being re-circulated to all parties.

Commissioner Schafer commented that the week prior, at the ACWA conference, the Groundwater Committee discussed SIGMA in extent. David Gutierrez was asked if a GSA, acting through a public district, could function in two separate basins. The answer was yes provided they cooperate in both basins with whatever cooperate agreement has been established by that basin. That is without a change. He did not advise how that change could be done. He also attended the Department of Water Resource's presentation at the Convention Center and it was a rather disjointed meeting. There was un-precise advice on issues.

Commissioner Kapheim was in attendance as well and shared that there were farmers in attendance who belong to the white areas who were confused and not receiving the right advice. He and Commissioner Schafer had to step in to correct them. Discussion followed.

Commissioner Kapheim stated that another GSA meeting of the East Kings is in a week from Thursday, on May 21<sup>st</sup>. They have about 5 or 6 more meetings.

Commissioner Schafer discussed AB 617 (Perea) and mentioned it has a dozen clean up items for SIGMA all of which are worthwhile. The bill is sponsored by the AG Water Committee

Commissioner Kapheim stated that the Water Commission may want to take a position at next meeting and place this on the agenda. He also asked that staff add another discussion item, AB 1390 (Alejo).

#### 10. Commissioners Comments

Commissioner Brogan discussed recent changed to Friant Water Authority. He wanted to note that there were a number of district that left the authority though it was not due to increase of costs or finances. It was because of the results of the strategic plan that has recently been completed. His district was one who recently left. They did not see the change in governance of the authority as a positive move. There is continued concern that the authority is not as cost efficient as it could be. His board elected to leave. He could not speak for other district but heard similar comments from the other seven districts who have left.

11. Next meeting – Monday, June 8, 2015, 3:00 p.m. – Board of Supervisors Chambers

#### 12. Adjourn

The meeting was adjourned at 4:17pm.